IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION NO.1535 OF 2006

Smt.Anupama Dattara Devji..Petitioner
Vs.
Shree Saipawan Co-op.
Housing Society (Proposed)
& Ors. .....Respondents

Ms. A.S. Malvankar, for the petitioner
Mr. S.P. Chougule, for Respondent No.1.
Mr. V.J. Shah i/b. Fazalbhoi Motafarm for
Respondent NO.2.
Mr. G.D,.Utangale, for respondent NO.3.

CORAM: **F.I. REBELLO &**
MRS.V.K.TAHILRAMANI, JJ.
DATE: 15TH JUNE,2006

P.C.

. The Respondent NO.1 has acquired the land and has paid a sum of Rs.11,97,000/-. They have also put up a proposal for S.R.A. scheme. Annexure 2 contains 303 names. Respondent No.1 has filed consent of 303 persons.

2. Petitioner claims to be the Chief Promoter of another society. The petitioner's husband's name has been included in Annexure 2. The petitioner claims membership of 81 persons. LOI is yet to be issued.

3. In considering these matters what a Writ Court must consider are the larger interest of slum dwellers and not petty difference between two societies who seek to develop the land. In fact judicial note can be taken of the fact that it is a proxy fight between the builders brought into this Court and not for the benefit of the slum dwellers,

but for their own benefit. In the instant case LOI is yet to be issued. If the petitioner has any grievance that some persons whose names are included are not eligible or the eligible persons have not been included, it will be open to them to file their objection before the Competent authority. It is for the Competent Authority to decide the same. In the event the objections have been filed those objections to be decided within six weeks from today. Respondent NO.3 to to consider the grant of LOI after considering the material and applying the law which is applicable.

. With the above observations petition disposed of.

(**F.I. REBELLO, J)**

(**MRS.V.K.TAHILRAMANI, J).**